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PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0144

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Michael S. Banik et al. ) Group Art Unit: 3731  
)  
Serial No.: 10/024,261 ) Examiner: V. X. NGUYEN  
)  
Filed: December 21, 2001 )  
) Confirmation No.: 5008  
For: STENTS, STENTING SYSTEMS, )  
AND RELATED METHODS FOR )  
AGENT DELIVERY )

**RECEIVED**

JUL 23 2004

TECHNOLOGY CENTER 3700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated June 22, 2004, the Examiner required  
restriction under 35 U.S.C. § 121 between:

Group I: Claims 1-24, allegedly drawn to a system for delivering an  
agent to a body lumen; and

Group II: Claims 25-30, allegedly drawn to a system for delivering  
and retaining a system in a body lumen.

Additionally, the Examiner has required an election of species to one of the  
following alleged patentably distinct species:

Species 1: Figures 1-2;

Species 2: Figure 3;

Species 3: Figure 4;

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Species 4: Figure 5; and

Species 5: Figures 6-7.

Applicants do not necessarily agree with the Examiner's characterizations and assertions regarding Applicants' claims and the alleged patentably distinct groups and species, and Applicants reserve the right to argue the distinctness or lack of distinctness of the claim groups and species at a later time. Nonetheless, to expedite prosecution, Applicants provisionally elect to prosecute Group I, claims 1-24, allegedly drawn to a system for delivering an agent to a body lumen, with traverse. Additionally, Applicants elect to prosecute Species 1, with traverse, on which at least claims 1-8, 10, 12-15, and 17-23 of Group I are readable.

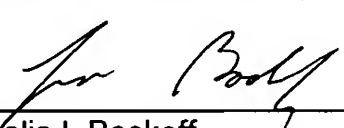
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 21, 2004

By: \_\_\_\_\_

  
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